

1 HAROLD P. GEWERTER, ESQ.
Nevada Bar No. 499
2 ELAINE A. DOWLING, ESQ.
Nevada Bar No. 8051
3 GEWERTER & DOWLING
1212 S. Casino Center Blvd.
4 Las Vegas, Nevada 89104
5 Phone: (702) 382-1714
Fax: (702) 382-1759
6 Attorneys for Plaintiffs

7
8 **UNITED STATES DISTRICT COURT**
9 **CLARK COUNTY NEVADA**

10 * * * *

11 VOIP-PAL.COM, a Nevada corporation,

2:15-cv-01258-JAD-VCF

12 Plaintiff,

**STIPULATION AND ORDER TO
DISMISS WITHOUT PREJUDICE**

13 vs.

ECF No. 26

14 LOCKSMITH FINANCIAL CORPORATION,
15 INC., a British Columbia entity; TK
16 INVESTMENT, a British Columbia entity;
17 RICHARD G. KIPPING, an individual; TERRY
18 KWAN, an individual; DOES I through X,
inclusive; and ROE ENTITIES XI through M,
inclusive,

19 Defendants.
20

21 IT IS HEREBY STIPULATED by and between Plaintiff, VOIP-PAL.COM, by and
22 through its attorney of record KURT BONDS, ESQ., and ADAM R. KNECHT, ESQ., of the
23 law firm ALVERSON TAYLOR MORTENSEN & SANDERS, and Defendants LOCKSMITH
24 FINANCIAL CORPORATION, INC.; TK INVESTMENT; RICHARD G. KIPPING, and
25 TERRY KWAN, by and through their attorney of record, HAROLD P. GEWERTER, ESQ.,
26 and ELAINE A. DOWLING, ESQ., of the law firm of GEWERTER & DOWLING, that the
27 above entitled matter be dismissed without prejudice, each side to bear their own attorney fees
28 and costs and a mutual release regarding the subject matter hereof is granted to all parties to this
Stipulation.

1 The Parties agree that the Stipulation does not affect the parties or have any preclusive
2 effect on any ongoing litigation in any other jurisdiction. Furthermore, the parties agree that any
3 claims that have been filed by either party with respect to this action to date; will be tolled until
4 the conclusion of the Clark County, Nevada district court case.

5 Federal Rule of Civil Procedural 41(a)(1)(A)(ii) allows the parties to dismiss a case
6 without court approval if all parties sign the stipulation:

7 (a) Voluntary Dismissal.

8 (1) By the Plaintiff.

9 (A) Without a Court Order. Subject to Rules 23(e),
10 23.1(c), 23.2, and 66 and any applicable federal
11 statute, the plaintiff may dismiss an action without
12 a court order by filing:

13 ...

14 (ii) a stipulation of dismissal signed by all parties who have
15 appeared.

16 All of the parties agree to the Stipulation. Rules 23(e), 23.1(c), 23.2 and 66 do not
17 apply.

18 DATED this 12th day of September, 2016.

DATED this 12th day of September, 2016.

19 By: /s/: Adam Knecht

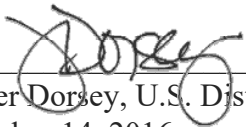
20 Kurt Bonds, Esq.
21 Nevada Bar No. 6228
22 Adam Knecht, Esq.
23 Nevada Bar No. 8051
24 1212 S. Casino Center Blvd.
25 Las Vegas, Nevada 89117
26 Telephone: (702) 384-7000
27 Facsimile: (702) 385-7000
28 aknecht@alversontaylor.com
Attorneys for Plaintiff

By: /s/: Elaine A. Dowling

Harold P. Gewerter, Esq.
Nevada Bar No. 499
Elaine A. Dowling, Esq.
Nevada Bar No. 8051
7401 W. Charleston Blvd.
Las Vegas, Nevada 89104
Telephone: (702) 382-1714
Facsimile: (702) 382-1759
harold@gewerterdowling.com
Attorneys for Defendants

ORDER

Based on the parties' stipulation [ECF No. 26], IT IS HEREBY ORDERED that THIS
ACTION IS DISMISSED without prejudice. The Clerk of Court is directed to CLOSE
THIS CASE.


Jennifer Dorsey, U.S. District Judge
September 14, 2016